

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

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|--|---|------------------------------------|
| Priscilla Guyton, |) | Civil Action No. 0:18-cv-02023-JMC |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| Andrew Saul, ¹ <i>Commissioner of</i> |) | |
| <i>Social Security,</i> |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the court upon Plaintiff’s Motion for Attorney’s Fees, through her attorney, Paul T. McChesney (“Counsel”), for an award of \$4,046.25 in attorney’s fees and \$22.68 in costs under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, filed on September 17, 2019. (ECF No. 23.) However, the parties agreed to a stipulated amount of \$3,800.00 in attorney’s fees. (ECF No. 24.) The court has subsequently reviewed Plaintiff’s motion and the parties’ Stipulation.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), EAJA fees awarded by this court belong to the litigant and are subject to the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B) (2006). Therefore, the court directs that the fees be payable to Plaintiff and delivered to Plaintiff’s Counsel. The amount of attorney’s fees payable to Counsel will be the balance of stipulated attorney’s fees remaining after subtracting the amount of Plaintiff’s outstanding federal debt. If Plaintiff’s outstanding federal debt exceeds the amount of attorney’s fees under the Stipulation, the stipulated amount will be used to offset Plaintiff’s federal debt and no attorney’s fees shall be

¹ The court observes that this action was filed against Nancy A. Berryhill, then the Acting Commissioner of the Social Security Administration. (ECF No. 1.) Andrew Saul is the current Commissioner of the Social Security Administration.

paid. (*See* ECF No. 24.)

For the reasons set forth herein, after a thorough review of Plaintiff's Motion for Attorney's Fees (ECF No. 23) and the parties' Stipulation (ECF No. 24), the court **GRANTS** Plaintiff Priscilla Guyton's Motion for Attorney's Fees (ECF No. 23), and **AWARDS** Plaintiff \$3,800.00 in attorney's fees.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 28, 2019
Columbia, South Carolina